

United States District Court  
Northern District of New York

## JUDGMENT IN A CIVIL CASE

**ANTHONY MASSARO,**

**Plaintiff,**

**vs.**

**CASE NUMBER: 5:08-CV-54 (NAM) (DEP)**

**CENTRAL NEW YORK DEVELOPMENTAL  
SERVICES OFFICE and MARY ANN FLAGG,**

**Defendants.**

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

That plaintiff's *in forma pauperis* status is hereby revoked; it is further Ordered that plaintiff's complaint is dismissed without prejudice for failure to state a claim upon which relief may be granted; it is further Ordered that because plaintiff has not made a substantial showing of the denial of a constitutional right, no certificate of appealability will be issued; and the Court certifies that any appeal of the memorandum decision of Honorable Norman A. Mordue signed February 20, 2008 would not be taken in good faith.

All of the above pursuant to the order of the Honorable Judge Chief Judge Norman A. Mordue, dated the 20th day of February, 2008.

**FEBRUARY 21, 2008**

**DATE**

**LAWRENCE K. BAERMAN**

**CLERK OF COURT**

**s/**

**BY: L. WELCH  
DEPUTY CLERK**